

**MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEE FOR
PERSONAL INJURY AND DEATH CLAIMS**

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Ronald L. Motley (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haefele, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC
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VIA ECF

November 19, 2021

Honorable Sarah Netburn, U.S. Magistrate Judge
United States District Court for the S.D.N.Y.
Thurgood Marshall U.S. Courthouse, Room 430
40 Foley Square
New York, NY 10007

Re: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

The Plaintiffs' Executive Committee for Personal Injury and Death Claims ("PEC") submits this letter in response to the Court's November 16, 2021 Order requesting "any dates that are important to the resolution of [motions for partial default judgments] such as distributions from the U.S. Victims of State Sponsored Terrorism Fund." *See* ECF No. 7352. As explained below, there is no current deadline, but we expect parties to continue to seek judgments on a rolling basis.

The Special Master of the U.S. Victims of State Sponsored Terrorism ("USVSST") Fund is permitted by statute to authorize distributions to eligible claimants annually in January to the extent the USVSST Fund has sufficient funds available to justify such a distribution. The Special Master previously determined that no authorization for distributions would be made in January 2021, and, more recently, announced that no authorization for additional distributions will be made in January 2022. Therefore, the earliest possible authorization by the Special Master for additional distributions to eligible claimants (including new claimants) within the USVSST Fund under current law will be January 2023. Based on the USVSST Fund's past practice, the PEC anticipates that the next deadline for submission of new claims to the USVSST Fund would not be before September 2022 absent any change in law.

Though there is currently no application deadline, the PEC firms expect to continue to seek judgments that can serve as the basis for such claims to the USVSST Fund and expect other non-PEC firms to do the same. This is necessary in light of potential changes to the statutory and regulatory landscape (such as in the past, when the 2019 USVSST Fund Clarification Act established a new deadline) and to protect the clients' rights. This will also facilitate the filing of USVSST Fund claims without waiting until a deadline is set.

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If we become aware of any deadline, such as new dates set by Congressional, Executive Branch or USVSST Fund action, we will promptly notify the Court.

Respectfully submitted,

MOTLEY RICE LLC

By: /s/ Robert T. Haeefe
ROBERT T. HAEFELE
MOTLEY RICE LLC
28 Bridgeside Boulevard
Mount Pleasant, SC 29465
Tel.: (843) 216-9184
Email: rhaefe@motleyrice.com
For the Plaintiffs' Exec. Committee

KREINDLER & KREINDLER LLP

By: /s/ Andrew J. Maloney
ANDREW J. MALONEY
KREINDLER & KREINDLER LLP
750 Third Avenue
New York, New York 10017
Tel.: 212-687-8181
Email: amaloney@kreindler.com
For the Plaintiffs' Exec. Committee

ANDERSON KILL P.C.

By: /s/ Jerry S. Goldman
JERRY S. GOLDMAN
ANDERSON KILL P.C.
1251 Avenue of the Americas
New York, New York 10020
Tel: (212) 278-1569
Email: jgoldman@andersonkill.com
For the Plaintiffs' Exec. Committee

cc: The Honorable George B. Daniels, via ECF
All Counsel of Record via ECF